

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DAVID T. VINING, Individually  
and on behalf of all others similarly situated,

Plaintiff,

VS.

OPPENHEIMER HOLDINGS INC.,  
OPPENHEIMER & CO., INC.,  
and OPPENHEIMER ASSET  
MANAGEMENT, INC.

Defendants.

08 CV 4435

## NOTICE OF APPEARANCE

TO THE CLERK OF THIS COURT AND ALL PARTIES OF RECORD:

Please enter my appearance as counsel in this case on behalf of Defendants Oppenheimer Holdings, Inc., Oppenheimer & Co. Inc., and Oppenheimer Asset Management, Inc. I certify that I am admitted to practice in this Court.

Dated: May 22, 2008

PROSKAUER ROSE LLP

By:

Scott A. Eggers  
1585 Broadway  
New York, NY 10036  
(212) 969-3000

*Counsel for Oppenheimer Holdings, Inc.,  
Oppenheimer & Co. Inc., and Oppenheimer  
Asset Management, Inc.*